

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DC3, LLC

Plaintiff,

ORDER

10-CV-6084L

v.

THE TOWN OF GENEVA, et al.,

Defendants.

The Court has reviewed the pending motions filed by the parties, the docket sheet and the several letters that have been launched at the Court in the recent weeks.

Defendants' motion to dismiss (Dkt. # 3) was filed first, and it seems proper and efficient to decide that motion in the first instance. Plaintiff's cross-motion for summary judgment (Dkt. #7) will be decided thereafter.

As part of its review, the Court will consider whether oral argument is necessary. If so, the parties will be notified in a timely manner.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
June 7, 2010.